

CITY OF LEWISTON

CITY COUNCIL

APRIL 17, 2007

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

COUNCIL PRESIDENT RENEE M. BERNIER, PRESIDING.

PRESENT: Councilors Mendros, O'Brien, Jean, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo. Absent/Excused: Mayor Gilbert and Councilor Samson

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (101-2007)

Motion by Councilor O'Brien, seconded by Councilor Mendros:

To dispense with the reading of the minutes of the December 22, 2006, March 27 and April 3, 2007, meetings and to accept and place them on file as prepared by the City Clerk.

Passed - Vote 7-0 (Note - Councilors Paradis and Mendros noted they were abstaining from the approval of the December 22, 2006 minutes since they were not in attendance at this meeting.)

Councilor Rousseau announced the City was notified today that it is a finalist in the All America City award program and that the final award winners will be announced in June.

Councilors requested to remove both items off of the consent agenda and to consider them individually.

AMENDMENT TO THE TRAFFIC SCHEDULE REGARDING PARKING PROHIBITED FOR THE FIRE LANES ON A PORTION OF CHESTNUT STREET

Councilor Paradis inquired about the impact of this change on a local business located at the intersection of this street. It was noted staff will do some research on this and report back at the next meeting.

VOTE (102-2007)

Motion by Councilor Paradis, second by Councilor Mendros:

To postpone action on this item until the next Council meeting. Passed - Vote 6-0

**AMENDMENT TO TRAFFIC SCHEDULE REGARDING PARKING PROHIBITED
FOR FIRE LANES ON A PORTION OF PARK STREET****VOTE (103-2007)**

Motion by Councilor Paradis, second by Councilor O'Brien:

To approve the proposed amendment to the Traffic Schedule for a portion of Park Street which would prohibit parking from the northeast corner of Park Street and Oak Street, extending northerly on Park Street a distance of fifty feet. Passed - Vote 5-1 (Councilor Jean opposed)

**BUDGET PUBLIC HEARING FOR THE FISCAL YEAR 2008
MUNICIPAL & EDUCATION BUDGETS**

Council President Bernier opened the public hearing to receive any citizen comment or input. Bert Dutil of the L/A Veteran's Council requested financial support from the City for a new monument they are planning to have created for Veteran's Memorial Park. The monument would include the large military shell from the USS Maine battleship that sank in Havana Harbor in 1896. Mr. Dutil stated they are hoping to receive \$10,000 from the City to construct the monument. Bruce Collette of Collette Monuments answered questions about the construction of the monument, noting the shell would be recessed into the granite and will weigh over 500 lbs, making it difficult to easily steal the shell. Mr Dutil stated their goal is to have the monument in place in time for the September 2007 visit of the traveling Vietnam Wall Memorial.

Dick Kendell of SCORE - Senior Corp of Retired Executives - inquired about parking passes for their members and clients who will be meeting at their new office at the Chamber building. Councilor Bernier stated the staff will work with SCORE and the Chamber to find a solution to ensure parking passes are available.

Council President Bernier then closed the hearing.

VOTE (104-2007)

Motion by Councilor Rousseau, second by Councilor O'Brien:

To direct staff to review the available accounts from the FY07 municipal budget to see if any funds could be dedicated to the Veteran's Monument project by the end of June, and to review this item at the second Council meeting in June. Passed - Vote 6-0

**PUBLIC HEARING ON THE 2008 FISCAL YEAR COMMUNITY DEVELOPMENT
BLOCK GRANT BUDGET AND ADOPTION OF PROGRAM BUDGET**

Council President Bernier opened the public hearing to receive any citizen comment or input. Estelle Rubinstein of Androscoggin Head Start commented on the process and felt it was very favorable toward organizations and worked very well. Council President Bernier then closed the hearing.

VOTE (105-2007)

Motion by Councilor O'Brien, second by Councilor Jean:

To adopt the schedule of funds for the FY2008 CDBG budget as recommended by the Community Development Block Grant Review Committee:

PUBLIC SERVICE ACTIVITIES

| | |
|--|-----------------|
| A.W.A.P. | \$3,000 |
| Advocates for Children/Healthy Families | \$2,200 |
| American Red Cross/ Disaster Services | \$2,000 |
| Androscoggin Head Start/Childhood Enrichment | \$30,000 |
| Androscoggin Home Health/Lewiston Home Care | \$5,500 |
| Catholic Charities of Maine/St. Francis Rec. Ctr. | \$1,500 |
| Catholic Charities of Maine/S.E.A.R.C.H. | \$2,000 |
| Child Health Center/Big Brothers/Big Sisters | \$500 |
| Child Health Center/Big Brothers/Big Sisters Mentoring Program | \$500 |
| Child Health Center/Kid's Korner | \$1,000 |
| Hope Haven Emergency Shelter | \$1,500 |
| LPD-Enhanced Neighborhood Policing | \$3,000 |
| LA Arts | \$0 |
| Literacy Volunteers | \$500 |
| Multi-Purpose Center - After School Program | \$5,000 |
| Pathways Day Care | \$5,500 |
| Pathways Workplace Program | \$4,500 |
| Pathways Extended Employment | \$2,000 |
| St. Martin de Porres Residence | \$3,000 |
| Sexual Assault Crisis Center | \$750 |
| Trinity Jubilee Center | \$3,500 |
| Y.W.C.A. Intervention | \$1,700 |
| Contingency Fund | \$0 |
| SUBTOTAL | \$79,150 |

ECONOMIC DEVELOPMENT

| | |
|------------------------------|------------------|
| Downtown Improvement Program | \$347,065 |
| SUBTOTAL | \$347,065 |

HOUSING REHAB

| | |
|-----------------------------|------------|
| Rehab Office Administration | \$0 |
| SUBTOTAL | \$0 |

NEIGHBORHOOD IMPROVEMENTS

| | |
|--------------------------------------|------------------|
| Heritage Initiative - Other Housing | \$0 |
| Downtown Beautification Project | \$0 |
| Downtown Infrastructure Improvements | \$100,000 |
| Downtown Neighborhood Assistance | \$50,000 |
| SUBTOTAL | \$150,000 |

PARKS AND RECREATION

| | |
|---------------------------|------------------|
| Senior Services | \$35,000 |
| Kennedy Park Improvements | \$250,000 |
| SUBTOTAL | \$285,000 |

ADMINISTRATION & PLANNING

| | |
|---------------------|------------------|
| C.D. Administration | \$193,654 |
| SUBTOTAL | \$193,654 |

| | |
|------------------------------|--------------------|
| TOTAL OF ALL PROGRAMS | \$1,054,869 |
|------------------------------|--------------------|

Passed - Vote 6-0

VOTE (106-2007)

Motion by Councilor Mendros, second by Councilor Jean:

To authorize the submission of the Action Plan to the Department of Housing and Urban Development. Passed - Vote 6-0

**PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT
TO THE ADMINISTRATIVE ORDINANCE REGARDING THE
BOARD OF ASSESSMENT REVIEW**

Council President Bernier opened the public hearing to receive any citizen comment or input. No members of the public spoke for or against this item. Council President Bernier then closed the hearing.

VOTE (107-2007)

Motion by Councilor Jean, second by Councilor Rousseau:

That the proposed amendment to the City Code of Ordinances, Chapter 2 “Administration”, Division 6 “Board of Assessment Review”, Section 2-220, receive final passage by a roll call vote. Passed - Vote 6-0

**PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO
THE LIBRARY ORDINANCE**

Council President Bernier opened the public hearing to receive any citizen comment or input. No members of the public spoke for or against this item. Council President Bernier then closed the hearing.

VOTE (108-2007)

Motion by Councilor Jean, second by Councilor Mendros:

That the proposed amendment to the City Code of Ordinances, Chapter 48 “Library”, Article II “Board of Trustees”, Section 48-21, receive final passage by a roll call vote. Passed - Vote 6-0

**PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION AND SPECIAL
AMUSEMENT PERMIT FOR IRISH TWINS PUB**

Council President Bernier opened the public hearing to receive any citizen comment or input. No members of the public spoke for or against this item. Council President Bernier then closed the hearing.

VOTE (109-2007)

Motion by Councilor Paradis, second by Councilor O’Brien:

To authorize the City Clerk’s Office to approve a new liquor license application and special amusement permit for Irish Twin’s Pub, 413 Main Street. Passed - Vote 6-0

**AMENDMENTS TO THE STORM WATER UTILITY FEE SCHEDULE
AND CREDIT POLICY****VOTE (110-2007)**

Motion by Councilor Jean, second by Councilor Paradis:

To approve the proposed amendments to the Storm Water Utility Fee Schedule and Credit Policy as recommended by the Director of Public Services and City Administration.
Passed - Vote 6-0

**AMENDMENTS TO THE PERSONNEL POLICIES REGARDING THE EMPLOYEE
HEALTH CARE MANAGEMENT SYSTEM PROGRAM**

VOTE (111-2007)

Motion by Councilor O'Brien, second by Councilor Mendros:

To approve the amendments to the Personnel Policies for the Employee Health Care Management System program, as recommended by the Human Resources Director.
Passed - Vote 6-0

**AMENDMENTS TO THE PERSONNEL POLICIES REGARDING
THE SMOKING POLICY**

Councilors inquired how this policy would be enforced for citizens. Mr. Bennett noted this new policy will be part of the personnel policy and will only pertain to city employees. Councilor Mendros stated he is opposed to this change, feeling that employees who smoke are being treated like second class citizens.

VOTE (112-2007)

Motion by Councilor Jean, second by Councilor Rousseau:

To approve the amendments to the Personnel Policies for the Smoking Policy as recommended by the Human Resources Director. Passed - Vote 5-1 (Councilor Mendros opposed)

**REQUEST FROM THE ANDROSCOGGIN LAND TRUST TO WAIVE LANDFILL
TIPPING FEES AND TO TRANSPORT SOLID WASTE DEBRIS**

Jonathan LaBonte, president of the Androscoggin Land Trust (ALT) and board member of L/A Trails, made a presentation to Council regarding their annual spring clean up program and requested support of the clean up project on the new parcel of land they acquired along the River on Tall Pines Drive. He noted this property has not been used or cleared for years, and there is much debris such as old shopping carts, mattresses, chairs, and so forth. Due to the cost of cleaning the property, Mr. LaBonte requested assistance from the City regarding the waiver of the landfill tipping fees to dispose of all of the debris, plus assistance with transporting the debris from the site to the solid waste facility. Councilor Paradis noted these costs will be high and he suggested supporting one of the requests, but not both. Councilor Mendros inquired about the volume of trash at the site.

VOTE (113-2007)

Motion by Councilor Jean, second by Councilor O'Brien:

To waive the landfill tipping fees for the Androscoggin Land Trust April 28 clean up efforts of the 14.3 acre parcel of land on Tall Pines Drive and to provide transportation to haul the solid waste debris from the property to the City's solid waste facility.
Passed - Vote 1-5 (Councilor Mendros in favor, others opposed)

Councilor Rousseau suggested the City could waive the tipping fees and that the ALT could work with local contractors and trucking firms about hauling the debris. It was noted the clean up project will be on a Saturday which would involve overtime of city employees to haul the material, which is not budgeted.

VOTE (114-2007)

Motion by Councilor Rousseau, second by Councilor Paradis:

To waive the landfill tipping fees for the Androscoggin Land Trust April 28 clean up effort at the 14.3 acre parcel on Tall Pines Drive. Passed - Vote 6-0

**LEASE OF CELL PHONE TOWER LOCATED AT THE
LEWISTON ARMORY BUILDING**

Councilors reviewed the letter from Unison regarding leasing cell phone towers on the Armory building. Councilors decided to take no formal action on the letter and directed the City Administrator to decline the offer from Unison and to consider putting the lease of the towers out for an RFP.

REPORTS AND UPDATES

Councilor Jean inquired about a letter the Councilors received from Jim Wellehan asking for their support of a Resolution pertaining to college education. It was noted this would be placed on a future agenda. Councilor O'Brien announced information on the Lewiston Boosters scholarship program.

OTHER BUSINESS

City Administrator Bennett provided a brief update on the issue of the automobile accident and fatality at the Canal in January. He noted the woman's family has hired an attorney to review the matter and he will keep the Council updated on this issue accordingly.

VOTE (115-2007)

Motion by Councilor O'Brien, second by Councilor Jean:

To adjourn at 9:35 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine